

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

NATIONAL RAILROAD PASSENGER CORPORATION,

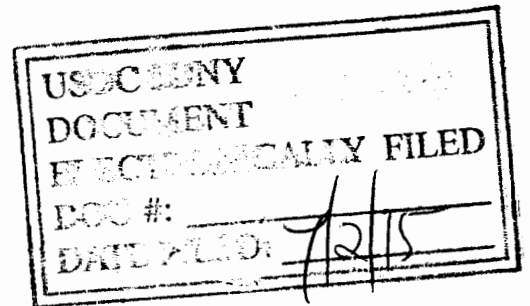
Plaintiff,

v.

ARCH SPECIALTY INSURANCE COMPANY;  
ASPEN SPECIALTY INSURANCE COMPANY;  
COMMONWEALTH INSURANCE COMPANY;  
FEDERAL INSURANCE COMPANY;  
LEXINGTON INSURANCE COMPANY;  
LIBERTY MUTUAL FIRE INSURANCE COMPANY;  
CERTAIN UNDERWRITERS AT LLOYD'S OF LONDON  
and CERTAIN LONDON MARKET INSURANCE  
COMPANIES subscribing to Policy Nos. 507/N11NA08240,  
507/N11NA08241, 507/N11NA08242, 507/N11NA08244,  
507/N11NA08244, 507/N11NA08245 and GEP 2944;  
MAIDEN SPECIALTY INSURANCE COMPANY;  
MAXUM INDEMNITY COMPANY;  
NAVIGATORS INSURANCE COMPANY;  
PARTNER REINSURANCE EUROPE plc;  
RSUI INDEMNITY COMPANY;  
STEADFAST INSURANCE COMPANY;  
TORUS SPECIALTY INSURANCE COMPANY; and  
WESTPORT INSURANCE CORPORATION,

Defendants.

Civ. Action No.:14-cv-7510 (JSR)



**FINAL ORDER AND JUDGMENT OF DISMISSAL**

The Court, by order dated June 24, 2015, dismissed from this action excess insurance company defendants Aspen Specialty Insurance Company as respects Policy No. PX5705611; Commonwealth Insurance Company; Lexington Insurance Company as respects Policy No. 084144282; Certain Underwriters at Lloyd's and London Market Companies as subscribing to Policy Nos. 507/N11NA08242, 507/N11NA08244, 507/N11NA08244, 507/N11NA08245, and GEP 2944; and Maiden Specialty Insurance Company, Partner Reinsurance Europe plc, Steadfast Insurance Company, Torus Specialty Insurance Company, and Westport Insurance

Corporation. RSUI Indemnity Co. as respects Policy No. NHT374083 is also an excess insurer and it is hereby dismissed as respects Policy No. NHT374083 pursuant to the terms of the June 24, 2015 order.

The parties to the case have agreed to dismiss with prejudice and without costs or interest the primary insurance company defendants Arch Specialty Insurance Company; Aspen Specialty Insurance Company as respects Policy No. PXA4VP611; Federal Insurance Company; Lexington Insurance Company as respects Policy No. 084144000; Liberty Mutual Fire Insurance Company; Certain Underwriters at Lloyd's of London and Certain London Market Insurance Companies as subscribing to Policy Nos. 507/N11NA08240 and 507/N11NA08241; Maxum Indemnity Company; Navigators Insurance Company; and RSUI Indemnity Company as respects Policy No. NHT374082.

Although the Court will issue before the end of July an Opinion stating the reasons for the Court's dismissal of the excess insurance company defendants in its June 24 order, in order to expedite any appeal of the dismissal of the excess insurance company defendants, and all of the claims in the case having been fully resolved and disposed of, this order constitutes a final judgment and resolution of the action, dismissing the defendants with prejudice.

**SO ORDERED.**

**Dated:** New York, NY  
July 2, 2015

  
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Jed S. Rakoff, U.S.D.J.